

October 5, 2021

By ECF

The Honorable Valerie Caproni
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *Natural Resources Defense Council v. Regan*, No. 21 Civ. 461 (VEC) (S.D.N.Y.)

Dear Judge Caproni:

Pursuant to the Court's August 10, 2021 order, Dkt. No. 29, the parties write respectfully to: (1) provide a status report in this action; (2) request an extension of the parties' deadline to submit a proposed case management plan by sixty days, from October 11, 2021, to December 10, 2021; and (3) request an extension of the defendants' deadline to answer the complaint by fifty-nine days, from October 12, 2021, to December 10, 2021.

Since the parties' August 10, 2021 status update, the government has completed its internal approval process for the proposed consent decree negotiated by the parties to resolve this matter. That consent decree must now undergo a thirty-day public review and comment period before it may be submitted to the Court. The government expects that the consent decree will be published for public comment by the end of the week of October 12, 2021.

To allow time for the completion of this public comment process, and in order to further facilitate the consensual resolution of this matter, the parties respectfully request an extension of pending deadlines as set forth above. This is the parties' fourth request to extend the deadline for defendants' answer, and fifth request to extend the deadline for the proposed case management plan. The parties further propose to submit a status report by December 8, 2021, if the parties' consent decree has not been submitted to the Court by an earlier date.

We thank the Court for its consideration of this request.

Dated: October 5, 2021
New York, New York

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